

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JIMMIE JOHNSON,

Petitioner,

V.

GRAFTON CORRECTIONAL
INSTITUTION WARDEN,

Respondent.

CASE NO. 1:15cv1322

JUDGE BENITA Y. PEARSON

MEMORANDUM OF OPINION AND ORDER

Petitioner filed this action on July 1, 2015. [ECF No. 1](#). He did not pay the filing fee nor did he request permission to proceed *in forma pauperis*. On August 20, 2015, the Court ordered Petitioner to resolve the issue of the filing fee within thirty days by either paying the full filing fee or by filing an Application to Proceed *In Forma Pauperis*. [ECF No. 3](#). Although more than thirty days have passed, Petitioner has not complied with the Court's Order. Accordingly, this action is dismissed without prejudice for failure to prosecute. [Gravitt v. Tyszkiewicz, 14 F. App'x 348, 349 \(6th Cir. 2001\)](#) (holding dismissal without prejudice appropriate when prisoner failed to comply with court order to either pay the full filing fee or apply to proceed *in forma pauperis*).

IT IS SO ORDERED.

November 16, 2015
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge